



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

APR 25 2011

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-133

CERTIFIED MAIL-7009 2250 0001 6624 1214
RETURN RECEIPT REQUESTED

WARNING LETTER

Jeff Power
Draper Valley Farms
Corporate Offices
P.O. Box 838
Mount Vernon, WA 98273

Re: February 3, 2011, NPDES Compliance Inspection
NPDES Identifier Number WAU000524

Dear Mr. Power:

On February 3, 2011, the U.S. Environmental Protection Agency (EPA) inspected your broiler facility (Draper Valley Farm #123) at 1042 Ten Mile Road to evaluate its compliance with the Clean Water Act (CWA). I would like to express my appreciation for your staff's time and cooperation during the inspection. At the time of inspection, the EPA inspector observed the following areas of concern:

Potential Area of Discharge

The inspector noted two areas in which waste could possibly reach local water ways. Near barn number 2, waste was being transferred from the barn to a truck for export. In the transferring process, litter was left on the ground. The front of barn 2 slopes toward the southern ditch. If storm water is present, runoff could result in a discharge to the ditch.

The second area of concern was located at the western entrance of barn 5. The front of barn 5 slopes significantly to the northern ditch. Debris and litter could runoff and be carried via this ditch and enter the Nooksack River.

The Concentrated Animal Feeding Operation (CAFO) regulations state "the owner or operator of a CAFO must seek coverage under an NPDES permit if the CAFO discharges". If your CAFO discharges, you will need to seek coverage under the NPDES program. Please

PCS
5/4/11

follow up with Jon Jennings from the Washington Department of Ecology for questions regarding your status as a CAFO and for obtaining coverage under the Washington General CAFO permit.

Although our goal is to ensure facilities comply fully with the CWA, the ultimate responsibility rests with the facility. As such, I strongly encourage your company to continue its efforts to maintain full knowledge of the CWA and to take appropriate measures to ensure full compliance. If you have any questions concerning this matter, please call Steven Potokar, CAFO Enforcement Coordinator, at (206) 553-6354.

Sincerely,



Kimberly A. Ogle, Manager
NPDES Compliance Unit

cc: Nora Mena,
Washington State Department of Agriculture

Richard Grout,
Washington Department of Ecology
Bellingham Field Office